

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND**
Baltimore Division

IN RE:

Case No.: 21-11008-NVA

MARGOT E. ROBERTS
AKA MARGOT ELIZABETH ROBERTS
Debtor

Chapter: 13

OBJECTION TO CONFIRMATION OF DEBTOR'S PROPOSED CHAPTER 13 PLAN

COMES NOW, Wells Fargo Bank, N.A. ("Creditor"), by and through counsel, and files its Objection to Confirmation of Debtor's Proposed Chapter 13 Plan, and as reasons therefor respectfully represents as follows:

1. Creditor is a mortgage lender/servicer.
2. On or about February 18, 2021, Margot E Roberts aka Margot Elizabeth Roberts ("Debtor") filed a Voluntary Petition in this Court under Chapter 13 of the United States Bankruptcy Code.
3. Rebecca A. Herr is the Chapter 13 Trustee of the Debtor's bankruptcy estate.
4. Creditor holds a Deed of Trust solely secured by the Debtor's property located in Baltimore City, Maryland, and improved by a residence known as 1913 Eastern Avenue, Baltimore, MD 21231 (the "Property").
5. On or about February 18, 2021, Debtor filed a Chapter 13 Plan (the "Plan") that states that prepetition arrears will be treated outside of the Plan. Debtor's Schedules do not show sufficient income to pay arrears and ongoing post-petition payments actually owed to the Creditor.
6. Objections to the Plan are due by April 13, 2021.
7. The deadline to file a proof of claim is April 29, 2021.
8. Creditor has not yet filed its proof of claim but anticipates filing a proof of claim that will include prepetition arrears of approximately \$12,744.50.
9. Debtor's Plan is underfunded and is therefore not confirmable.
10. Creditor does not oppose denial of the Plan with leave to amend or continuance, as proper for disposition and processing of this matter.

WHEREFORE, the Creditor its successors and/or assigns prays that this Court:

1. Enter an order DENYING confirmation of the Debtor's Chapter 13 Plan; and
2. Grant such other and further relief as necessary.

Respectfully Submitted,

Dated: March 1, 2021

/s/ Nikita Joshi
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Counsel for the Creditor

CERTIFICATE OF SERVICE

I hereby certify that on this 1st day of March, 2021, I reviewed the Court's CM/ECF system and it reports that an electronic copy of the foregoing Objection to Confirmation of Debtor's Proposed Chapter 13 Plan will be served electronically by the Court's CM/ECF system on the following:

Rebecca A. Herr, Trustee

Patrick J. Best, Esq.

I hereby further certify that on this 1st day of March, 2021, a copy of the Objection to Confirmation of Debtor's Proposed Chapter 13 Plan was also mailed first class mail, postage prepaid, to:

Margot E Roberts
aka Margot Elizabeth Roberts
2805 Highway 17
Williamston, NC 27892

/s/ Nikita Joshi
Nikita Joshi, Esq.